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Filing date: **10/09/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                        |  |
|------------------------|--|
| Proceeding             | 91204986   |
| Party                  | Defendant<br>Xylem IP Holdings, LLC  |
| Correspondence Address | JASON K SCHMITZ<br>BAKER & MCKENZIE LLP<br>130 E RANDOLPH STREET, SUITE 5000<br>CHICAGO, IL 60601-6342<br>UNITED STATES<br>chiusptomail@bakermckenzie.com, jason.schmitz@bakermckenzie.com,<br>judy.krason@bakermckenzie.com |
| Submission             | Other Motions/Papers   |
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| Signature              | /Jason K. Schmitz/   |
| Date                   | 10/09/2013   |
| Attachments            | opp no 91204986.pdf(41577 bytes )  |

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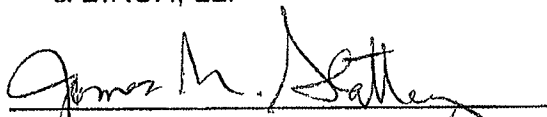
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|------------------------|---|--------------|
| XYLEM GROUP, LLC,      | ) |              |
|                        | ) |              |
| Opposer,               | ) | Opposition   |
|                        | ) |              |
| v.                     | ) | No. 91204986 |
|                        | ) |              |
| XYLEM IP HOLDINGS LLC, | ) |              |
|                        | ) |              |
| Applicant.             | ) |              |

STIPULATION OF DISMISSAL WITH PREJUDICE

NOW COME XYLEM GROUP, LLC ("Opposer") and XYLEM IP HOLDINGS LLC ("Applicant"), and, by and through their respective undersigned counsel of record and in accordance with 37 CFR § 2.116 of the Trademark Rules of Practice and Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, hereby STIPULATE and AGREE that all claims asserted herein, including all claims asserted by Opposer in its Opposition, and each and every count thereof, be and they hereby are DISMISSED WITH PREJUDICE.

SO STIPULATED AND AGREED, this 4th day of October, 2013.

BIRCH STEWART KOLASCH  
& BIRCH, LLP

  
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A handwritten signature in black ink, appearing to read 'J. Schmitz', is written over a horizontal line.

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Attorneys for Applicant  
XYLEM IP HOLDINGS LLC